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"To prevent the executive power from being able to oppress (says Baron Montesquieu), it is necessary that the armies, with which it is intrusted, should consist of the people, and have the same spirit with the people; as was the case at Rome, till Marius new-modelled the legions by enlisting the rabble of Italy, and laid the foundation of all the military tyranny that ensued. Nothing, then, according to these principles, ought to be more guarded against in a free state, than making the military power, when such a one is necessary to be kept on foot, a body too distinct from the people. *Like ours*, therefore, it should wholly be composed of *natural subjects*; it ought only to be enlisted for a *short and limited time*: the soldiers also should have intermixed with the people; *no separate camp, no barracks, no inland fortresses* should be allowed. And, perhaps, it might still be better, if, by dismissing a stated number and enlisting others at every renewal of their term, a circulation could be kept up between the army and the people, and *the people and the soldier be more intimately connected together.*"

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BARRACKS AND RIOTS.

These subjects, interesting enough in themselves, have acquired peculiar interest at this time from the Debate in the House of Commons, on the 1st instant, upon the Estimates for the building of *more barracks* in several parts of England, but especially upon some part of the spot, close by London, called the "Regent's park." Before we proceed any further, reader, let me beg of you to read the passage I have taken for my motto. Well, now, whose opinions and maxims are these? They are not the opinions and maxims of Tom Paine; they have not dropped from the pen of any "Jacobin or Leveller." They are the opinions and maxims of BLACKSTONE, in his Commentaries, Book I. Chap. 13. These Commentaries are the corner-stone of the study of our laws; they are put into the hands of all those who pursue that study; they were originally read as lectures to the students of law in the university of Oxford; they are even looked upon as leaning rather too much towards absolute sway; their author was a court lawyer; he was Solicitor General to the present Queen, to whom he dedicated his work, and he was afterwards a Judge. In short, he was a man willing to go as little way in favour of public liberty as, perhaps, any lawyer of his day. But, he published his book *forty-four years ago*, and the minds of Englishmen have, alas! undergone great changes since that time! If this were not the case, we should not see (as in the case of Col. Dillon) a man addressing, by permission, a book to the Prince of Wales; in which book is recommended, in plain terms, *camps all over England and fortresses all over Ireland*, and that, too, for the avowed purpose of

keeping the people in subjection. Let us now, however, pursue our subject, reserving the views of this book of Colonel Dillon for future exposure.

The Debate, which I have just mentioned, arose principally out of one particular item in the Barrack Estimates for the ensuing year. There are three new Barracks to be built, as follows:

At Bristol, for 800 men, to cost	£60,000
At Liverpool, for 1,000 men, to cost	82,000
At Marybone Park, for the Life	} 133,500
Guards, Horse Soldiers, 450	
in number, to cost - - -	
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£275,500	

This, you will observe, reader, is the amount of the intended *new* Barracks, in addition to all those which are now erected. Several members objected to the whole of these new Barracks, on account of the expense; and some of them, in a former debate, on account of the danger of putting into the hands of the government so much of military means, capable of being employed in the heart of the country in a way hostile to the liberties of the people. The expense is, to be sure, enormous. It was observed in the debate, that the Barrack at Marybone, which was the one principally complained of, would cost about £400 for each single man and his horse! But, the expense, enormous as it is, is nothing when compared to the fact of the establishment at Marybone being part of a system. There are, it seems, to be 27 acres of ground enclosed with a high and thick wall, within which these Barracks are to be built; and this, observe, close upon one of the skirts of the metropolis.—It was observed by

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Mr. Whitbread and others, that these Barracks were useless, seeing that there were already Barracks at King-street, in town, *Knight's Bridge, Kensington*, and a large Barrack at *Hounslow*. This latter is upon Hounslow heath, and the spot where it is built is said to be precisely the spot on which James the Second had his memorable encampment. Besides, it was asked, what is a space of 27 acres of ground wanted for? What *can* such a space be wanted for? Twenty-seven acres of ground! Why it is sufficient to contain, for some weeks, an army of ten or fifteen thousand men.

To this, it was answered, on the other side of the House, that it was true, that there were already Barracks in and near town, but not of sufficient capaciousness; that the horses were deposited in one place, while the men were quartered about amongst the people; that, in cases of emergency, this might be productive of great mischief; and Mr. Perceval is reported to have said in so many words, that "fatal consequences might arise from the separation of the men from their horses, because in cases of need, the mob might intercept the men in their way to their horses." It was also plainly said, in justification of the measure, that the new Barrack was to serve as "a depot for other troops, in case of their being brought to the metropolis."

We now come to the Debate of the 2d instant, which will, I am persuaded, long be remembered in England. SIR FRANCIS BURDETT's speech upon this occasion has become the object of abuse with all the leading hirelings of the London press. That speech contains doctrines of vital importance to us all, and calls upon us for our attention. I hear that comments on it have been notified, in certain placards, under the title of "*Burdett's seditious speech*;" and I see in the hireling newspapers most outrageous attacks upon both the speech and the speaker. It, therefore, becomes us to examine the matter with sobriety and impartiality. However we may admire Sir Francis Burdett; however fully convinced we may be, that he is a wise and honest man, and that he possesses a heart devoted to the liberty and happiness of his country; still, we are not to regard him as infallible; and we ought to enter upon an inquiry into the character of the present speech, with a desire to arrive at the truth, let it make for Sir Francis or against him. We will begin, therefore, with inserting,

not the speech alone, but the speech together with that of Mr. Perceval, in answer to it. The reader will bear in mind, that the speech relates to *two points*; namely, the *Barrack Establishment* as being hostile to all the notions of English freedom; and *the Killing of Rioters by the means of the army*, as being also contrary to the laws of England. These are the two points which the reader will take care to keep in view as he goes through the speeches; because these are the points which we shall have afterwards to discuss.

"SIR FRANCIS BURDETT said, he should be sorry to trespass on the House, when he saw them so impatient for the question, but he felt it to be a subject of such high importance, that he could not suffer it to pass without some observations. In doing this, he was not influenced by motives of inconvenience, or the high prices of all the articles of which those barracks were to be constructed; these were, unquestionably, matters well deserving consideration, and ought to be attended to; but he looked to the measure of building barracks in a far more important point of view: viz. as a question of great Constitutional importance, and as such it existed in his mind paramount to the consideration of economy and other matters of minor moment. From the first time he had ever mentioned this subject in the House, he had always maintained that the erection of barracks was highly unconstitutional; and though it had been said that he possessed Jacobinical principles, which induced him to speak of them in that manner, he did, then and now, maintain that the object of Government, in erecting barracks all over the country, was, that they might use the troops paid by the people to subdue the people (*Hear, hear*). This was evidently proved by the objections made to the soldiers being separated from their officers, from an apprehension that when called out to subdue the people, they should be intercepted. An Hon. Gent. appeared to him to be right upon his own principles, when he said that this was the precise time for building barracks. He was right in saying that barracks ought to be built, if it were the intention of Government completely to subdue the liberties of the country. The House had been often told of the usurpation and tyranny of Buonaparté, but

“ what would be said now of our own Government, when it was confessed that it was not now a Government by laws, but by the sword (*No, no, and shouts of disapprobation from many Members*). He would contend, that the Administration now governed by the sword instead of the law, and that the law did not give power to the Magistrates to employ the military as they do employ them. Were not the soldiers daily committing murders upon the people? (*Loud cries of order, order, and expressions of disapprobation*). He would not be deterred by any clamour which could be made from speaking the truth in his place as a Member of Parliament.

“ GENERAL MANNERS rose to order. The Hon. Baronet was certainly at liberty to speak the truth, but he was throwing out a slur upon the army.

“ SIR F. BURDETT resumed. It was not upon the army that he wished to throw a slur, but it was the Administration of the country that he charged with employing the army to commit those murders.

“ GENERAL MANNERS expressed a wish that his words should be taken down.

“ SIR F. BURDETT said, that he had no objection to any of his words being taken down; but as the Hon. General had called him to order without attempting to shew how he was out of order, and expressed a wish that his words should be taken down without moving for it regularly, he thought that it was rather the words of the Hon. General which ought to be taken down. He would maintain that the act which was relied on, called the Riot Act, did not say any thing about soldiers, nor did not authorize the Magistrates to employ them as they had done, or give up a starving population to military execution (*murmurs*). When he heard the Secretary to the Treasury argue that it was a vicious system to keep the soldiers out of barracks, or allow any free intercourse with the people, he could not but observe how totally the constitutional opinions of our ancestors had been departed from in the present times. Such doctrines would have filled our forefathers with horror and affright, and against such sentiments he must ever protest. Was it in this new era that the Prince Regent was to be told by his Ministers, that the foundations of the British throne should not rest in the affections of the

people, but on an army? At former periods of our history, and in the most successful reigns, such had not been the policy of the country. When Queen Elizabeth was asked by the Spanish Minister, where were her guards? she pointed to the people in the streets, and said, “ These are my guards, and by their affections I am best protected.” The Ministers, however, now might think proper to tell the Prince Regent that he was only safe, when surrounded with soldiers. It would be found, however, by referring to history, that those sovereigns were safer who relied on their people, than those who relied on armies. Who brought Charles I. to the block? It was an army, and an army levied by Parliament, but who afterwards turned out the same Parliament. Who restored Charles II?—An army, —a small part of Cromwel’s army. Nevertheless King Charles II. wished to rely upon them, but a wiser man than he (Lord Clarendon) dissuaded him from it. King James II. wished also to rely on a regular army, but they deserted him in his distress. He would maintain that as the law now stood, the Magistrates were not justified in letting the soldiery loose upon the people, and giving them up to military execution. The Riot Act allowed the constitutional officers, sheriffs, constables, &c. to interfere, and justified those constitutional officers in using force, if the populace would not disperse in a certain time after reading the Act. The Riot Act did not prescribe that the soldiery should be ordered to fire upon unarmed multitudes, in order to disperse them. He conceived that the expense of these barracks would be a great objection in the present times, but it was on the unconstitutional tendency of the measure that he rested his principal objection.

“ THE CHANCELLOR OF THE EXCHEQUER hoped, that however the question might be disposed of, or whatever might be thought of the details of it, that there would be very few persons found either in the House or in the country, to follow the Hon. Baronet in his argument (*Hear, hear*). He believed that the Hon. Baronet was extremely mistaken, if he supposed that the speech which he had just now delivered was likely to make any great impression out of the House, or that he would be considered as acting under a

“ sound discretion, when, with his mind
 “ impressed by the occurrences which had
 “ recently taken place, he did not hesitate
 “ to say, that this was a Government not
 “ of law, but of the sword. He believed
 “ that it would be almost universally felt,
 “ that the steps which Government, or
 “ which the Magistrates thought proper to
 “ pursue, were not for the purpose of
 “ crushing the liberties of the country, nor
 “ to make war with the people, and sub-
 “ due them; but for the purpose of pro-
 “ tecting the valuable lives and properties
 “ of His Majesty’s subjects from rioters and
 “ incendiaries (*Loud cries of hear, hear*).
 “ These were the people whom the Ho-
 “ nourable Baronet appeared to have now
 “ taken under his protection (*hear*), and
 “ this mob of rioters and incendiaries were
 “ called by him, *the people*; and Govern-
 “ ment was charged with making war upon
 “ the liberties of the people, because they
 “ would not allow a turbulent populace to
 “ destroy all the valuable accumulations of
 “ property or of machinery that are to be
 “ found in the country. To preserve the
 “ peace of the districts so disturbed, Go-
 “ vernment had been obliged to draw troops
 “ from different parts of the kingdom; and
 “ this was what the Hon. Baronet called
 “ making war upon the people, and sub-
 “ verting their liberties. The Honourable
 “ Baronet had no doubt strongly in his
 “ recollection the steps which Government
 “ had been obliged to take to repel the
 “ tumultuary aid which had been offered
 “ to him in resisting the laws of the coun-
 “ try (*Loud cries of hear, hear*). He
 “ might now confidently say, resisting
 “ the laws of the country; for the law
 “ had since been recognized and settled
 “ in the most formal manner in all the
 “ tribunals to which he chose to appeal,
 “ as well as by that to which he wished
 “ most to appeal,—*a trial by Jury*.
 “ [*Cheers and laughing for some moments.*]
 “ At that time numbers of people had
 “ been inflamed to seditious disturbances,
 “ very little short of rebellion, in the very
 “ heart of the Metropolis. There was
 “ nothing which Ministers could do that
 “ would go more immediately to destroying
 “ the Constitution and the liberties of the
 “ country, than by permitting those tu-
 “ multuary proceedings to go unchecked.
 “ He trusted, however, that the good
 “ sense of the public would perceive that
 “ there was nothing in these statements of
 “ the Hon. Bart. but mere declamatory
 “ nonsense; or if there could be collected

“ any sense from them, it would be only
 “ such as was calculated to do infinite mis-
 “ chief in the present agitated and dis-
 “ turbed state of many districts. He
 “ should pass over those topics without
 “ any further observation, and take it for
 “ granted, that no man could find out
 “ more danger to the constitution from the
 “ regiment of Horse-Guards having bar-
 “ racks in Marybone Park, than if they
 “ continued in King-street; or in a de-
 “ tachment of the ordnance being stationed
 “ there, instead of the whole park being at
 “ Woolwich. The Right Hon. Gentleman
 “ then defended the estimate in detail, and
 “ conceived that he had given proper ad-
 “ vice to the Prince Regent in giving up
 “ those 540 acres of ground which form
 “ this new park, to the health and com-
 “ forts of the inhabitants of this great me-
 “ tropolis, instead of making the greatest
 “ rent of it by covering it with buildings.
 “ As a barrack was wanted, he thought it
 “ much the most eligible place to build it
 “ upon this land belonging to the Crown.
 “ As to the expense formerly incurred in
 “ barrack estimates, it had nothing to do
 “ with the present question, as the contract
 “ was open to fair competition, and it was
 “ allowed that the expenditure was now
 “ watched over with the greatest vigi-
 “ lance.”

Here we have the speech and the mi-
 nister’s answer to it, as published in the
 Times news-paper of the 3d of May.
 Before we proceed any further, let us
 mark well what is here said about the
 ordnance. There are, it seems, to be
 cannons and other pieces of artillery, toge-
 ther with artillery soldiers, stationed in
 this new barrack square. Mr. Perceval
 says, “ that no man can find any more
 “ danger to the constitution from a de-
 “ tachment of artillery being placed at
 “ Marybone than if the whole park con-
 “ tinued at Woolwich.” No? Why do
 you think so? Blackstone would not have
 said so. He speaks against “ inland for-
 “ tresses,” and says, that they ought not
 to exist because they are dangerous to li-
 berty. He is particular in distinguishing
 inland from other fortresses, and, for a
 very obvious reason. At Woolwich the
 artillery is supposed, and really is, depo-
 sited for the purpose of being ready to be
 embarked, in order to be employed against
 the enemies of the country. The cause of
 its being placed there is quite obvious; but,
 is the cause so very obvious for placing
 cannons and mortars at Marybone? That

is not the road from Woolwich towards the sea! We shall scarcely be invaded by any enemy on the Marybone side of the Metropolis!

Had the hirelings of the press held their tongues upon the subject of this debate, I should, for my part, have suffered it to pass, leaving the speeches to take their chance amongst the public; but, Sir Francis's speech having been assailed by the hirelings, with great violence, I think it right that both sides should have a hearing; and, according to my invariable custom, I will here insert the attack upon which I am about to comment at the same time that I offer some remarks upon Mr. Perceval's speech. I quote from the *Courier* of the 2nd instant.

"SIR FRANCIS BURDETT attracted in the House of Commons last night particular, but not very flattering, attention. He seems to characterize the attempts to suppress riot and disturbance, as governing by the sword, and not by the law. Because the Government will not suffer with impunity the property and lives of those concerned in our different manufactures to be sacrificed, are they massacreing the people?—Because Mr. Cartwright dared to defend his property against men who sought his life, is he to be held out as a violator of the laws, and a murderer? A ruffian and cowardly banditti way-lay and assassinate manufacturers (Mr. Trentham and Mr. Horsefall), and are they not to be put down and punished? And these are the People. Having with an affectation, not more criminal than silly, characterized the nation as a flogged nation, because that discipline is practised in the army, would he now represent us as a nation of murderers and assassins, because in some parts a gang have attacked the improved machineries (one of the great sources of our prosperity), and attempted the lives of the owners of them, (the greatest benefactors in the country). They are, forsooth, the People! What must be his ideas and plans of a free constitution and of liberty, who complains of a government for affording protection to persons and property? and who calls midnight robbers and murderers, the People? Do we want to bring about such a happy state of Government as that established under the *Old Man of the Mountain*, whose subjects were all robbers and murderers? Are they the beloved People? Do we define all who

arraign themselves against the laws as the People? It was the people, we suppose, who perjured themselves at one of the Elections for Middlesex, and were sent to Botany Bay. The mob in Piccadilly were the people, and those who prevented or suppressed disturbance were attacking the constitutional rights of the people; what matters it that Judges and Juries have pronounced otherwise? No Judges! No Juries, unless they will always acquit; no laws unless they can be violated with impunity? down with the laws! "Go some and pull down the Savoy; others to the Inns of Court; burn all the records of the realm; and henceforward all things shall be in common." This was Jack Cade's definition of a happy Government and a free People, who were "to drink nothing but claret wine out of the City's Conduit," during the first year of his reign.—What does the Baronet mean? or does he mean only to be talked of? One thing he could not mean, to prove his historical knowledge; for when he talked of Queen Elizabeth's being so great a friend to the liberties of the people, he must have thought he was addressing the ignorant multitude from a hustings or at a tavern dinner. Her severity against the Puritans, to mention nothing else, was a tolerably good proof of her love of freedom!"

Never, perhaps, in the whole world was there seen such a tissue of falsehoods, of foul and base insinuations, as this article contains. The writer of it knows that all he has said is false; that its manifest tendency is to mislead and deceive; he knows that he will have, as he merits, the detestation of every man of sense and honesty; but he knows that he will gain by the publication, and that is all he cares about. However, those who abet and support him will have the mortification to find, that his writings will fail of their intended effect. The day of deception is past. The people are no longer to be cheated. They may have to *endure*; but they are not to be *inveighed*. It is out of the power of all the hirelings in the world any longer to hoodwink them. They see the whole thing, every part of the concern, in its true light; and the natural consequences, the triumph of truth and justice, a real loyalty, will, in due time, follow, in spite of all that this hireling and every other hireling can do to prevent it. But, we will now, before we say any more about this article,

go back, examine the contents of the speeches that we have quoted, and see how far Sir Francis was answered upon the spot.

First, as to the Barracks, he said little more than had been said by others. Mr. Freemantle, who opened the debate, said, that the House, by voting the Barracks at Marybone would be "committing itself to the support of a system of erecting a military depot for the metropolis; to the erection of a prætorian camp to overawe the city." Mr. Wrottesley said nearly the same thing, and he added an expression of his disapprobation of the Barrack system generally, and of the Military Schools also, as having an inevitable tendency to make the army a body wholly distinct from the people. So that, upon this occasion, Sir Francis Burdett could say little more against the Barracks than was said by others. But, *he had said all this before.* He had always reprobated the system. He had foretold what it would come to at last. He was then thought wild; nobody would join him; but he has now seen that nearly a majority of the House were ready to act upon his sentiments. Let us hope, that he will live to see them come over to him in other things as well as this.

And what answer did Mr. Perceval make to these objections? None, that I can perceive, except the observation, that a detachment of artillery at Marybone would not be more dangerous to the constitution than if the whole of the artillery remained at Woolwich, and on which observation I have already remarked. Mr. Wharton, a Secretary of the Treasury, said, in answer to Mr. Wrottesley, that "as to the argument against the principle of Barracks altogether, he should like to know from the Hon. Gentleman, if it were possible, by any enchantment, to do away at once with all the Barracks in the country." This was a very good answer to those who had before approved of the Barrack system, or who had suffered it to grow up without opposition; but, it was no answer to Sir Francis Burdett, who had always reprobated the system as directly levelled against the constitution. He wished to prevent the building of any Barracks; he has constantly protested against them; and, in his proposed Address to the Prince Regent at the opening of the present session, he traced the establishment of Barracks to its cause, and he pointed out and condemned the uses to which they were put, proceeding upon the maxims of our law as laid down by

Blackstone. To him, therefore, Mr. Wharton's speech was no answer, though it was a very good one to those who had approved of the introduction of the system. Aye, those, who, in 1793, were calling aloud for Barracks; those who were then hallooing against the Parliamentary Reformers, and who thought all was safe and snug when the Corresponding Societies were dispersed; those persons, who, in order to defend the country against the arms of France, approved of the erection of Barracks at York, Sheffield, Birmingham, Nottingham, Northampton, Manchester; those who said, that these erections and many others, in the very centre of England, were absolutely necessary to its protection against the French; those persons have certainly to make a frank confession of their error before they can reasonably blame the Minister for the expense or the danger of Barracks. They must either condemn the system altogether, or approve of what is now doing; for, what is now doing is certainly an *improvement* of the system. It is vile hypocrisy in any man to pretend that the real object of the Barrack system has now, for the first time, made itself apparent. That object, be it what it may, has always been the same. If the Barrack at Marybone be intended to contain a "prætorian camp to overawe the city," how comes Mr. Freemantle and his party to have been silent while Barracks were erecting on the out-skirts of almost every considerable town in England and Scotland? When the Whig Lords went over and joined Pitt and his set in 1793, they were for Barracks as much as Pitt himself; and, indeed, the present Whigs have never opened their lips against the Barrack system till now, when they have no longer any hopes of entering the cabinet, and, of course, have no motive for keeping well with those, to whom the Barrack system is thought to be peculiarly agreeable.

The second point in Sir Francis Burdett's speech was the *employing of soldiers in the quelling of riots.* He said, that the Ministers "used the army for the subjugation of the people; that, much had been said of the hateful tyranny of Buonaparté, but that the Ministers were now surpassing him in the establishing of a military despotism; that they governed by the sword, and not by the law; that, upon the slightest occasions, the soldiers were called out to keep down the people; that the soldiers were employed to commit murders on the people." This is the

substance of what the honourable Baronet is reported to have said upon this subject. And, what *answer* has he received?

First, General Manners is reported to have called him to order for having thrown a *slur* upon the army, in saying that the soldiers committed murders upon the people. To this Sir Francis replied, that his censure was not directed towards the soldiers who fired upon the people, but towards those who compelled them to fire; a distinction of great importance, and one that he wished to be kept in mind. Sir Francis Burdett cast a *slur* upon the soldiers! He has, as they must be well convinced, too sincere a friendship for them to think of such a thing. He cast a slur upon them! He, who has done so much, or, at least, who has endeavoured to do so much for them! Sir Francis Burdett cast a slur upon the soldiers of the English army! He, who is so well known to be so warm a friend to every soldier; he, whose name is synonymous with that of Soldiers' friend! Oh! no. This will never be believed in the army, where men are, as Mr. Peel said of the population of Manchester, in the year 1792, "much *better judges of things* than "they are generally supposed to be."

I dislike very much to hear, upon these occasions, any reflections upon the soldiers. They ought not to be abused, or, in anywise, ill-treated by the people. They wear red and blue jackets, and queer sorts of things upon their heads and other parts of their body; but, after all they are *our countrymen*. That endearing character ought not to be hidden from our eyes and effaced from our thoughts by any dress that they may wear; no, not even by tippets and whiskers. They are, when all is said and done, our countrymen; they are all the sons and brothers and cousins of some of us; many of them have, and all of them may, venture their lives in foreign lands; they undergo great hardships; they are, on every account, entitled to our kindness instead of our hatred; they cannot wish the people ill; it is unnatural to suppose it; and, therefore, let them not be exposed to reproach, or any sort of ill-treatment from the people. On the other hand, it is very wrong in any one to endeavour to enrage the soldiers against the people. They are all of one common country; and, it must be the anxious wish of every man who loves that country to see the soldiers live in harmony with the people.

Sir Francis denied the *legality* of employing soldiers to shoot at the people in

the case of riots; and, I do not perceive, that any one asserted such legality. The *riot-act*, which prescribes the mode in which riots shall be suppressed, says nothing about the use of military men. It speaks of Justices of the Peace, Sheriffs, Constables, Mayors, and other civil officers; and it authorizes the calling in of the people in general to aid and assist; but, it does not name soldiers; nor does it contain any words, which, as it appears to me, can be extended to soldiers. If it had been meant, that soldiers might be called in and employed against rioters, it would, one would suppose, have named them. The military power is one of which the law has always been very jealous; and, if it had been designed, that the law should be so materially changed in this respect, it would, surely, have been mentioned in the act. This act, which makes it *felony* for any persons to remain assembled more than an hour after the proclamation has been read, was passed in times when a new family was just come to the throne, and when great resistance and violence were apprehended; and, for the first time in our history, it was made a *perpetual* act; if, therefore, it was meant to sanction the employment of the military in the execution of it, it must have meant to imply that an army was to be perpetual also, which all the doctrine of the constitution denies. The use of soldiers, upon such occasions, has, of late years been so frequent, that most people have imagined, that the *law* has prescribed such use, and, in fact, that the law says, that if rioters do not disperse in an hour after the proclamation has been read, the magistrate may order the troops to shoot them or otherwise kill them. But, I can assure the reader, that the law says nothing about the use of soldiers. It does, indeed, authorize the civil magistrate and his officers *to disperse* rioters by force, and it says, that if any of the rioters should be killed in such *endeavours to disperse them*, the magistrate and persons assisting him shall not be liable to be punished for it; but, it says not a word about shooting at rioters, nor even about using any deadly weapons against them; much less does it speak of, or even hint at, the employment of any military force.

Upon this head, therefore, Sir Francis had a right to expect a patient hearing, and not that villainous abuse which he has met with from the venal news-papers. This, being a question of *law*, admitted of an immediate and conclusive answer; yet I do

not perceive, that Mr. Perceval gave it any answer at all. He talked of the *necessity of putting down riots*; and no one denied that necessity. He talked of the outrages committed by the people; and no one said a word in approbation of those outrages, which are not to be justified any more than the outrages committed in 1792 and 1793. He talked of the necessity of protecting the *persons and property* of the people; and, I am sure, that he could not be more convinced of that necessity than Sir Francis Burdett was, as he might well be, seeing that he has so much property to protect; property of *his own*, descended to him from his ancestors. It is stated in the report, that Mr. Perceval accused Sir Francis Burdett of *advocating* the cause of those who were engaged in the riots. I have searched his speech in vain for the expressions to warrant this charge. Not one word can I find in that speech calculated to encourage men to commit outrages of any sort. Not a word to dissuade the rioters from ceasing to commit such outrages. It was only the *mode* of putting down the riots that Sir Francis found fault with; this mode, he said, was illegal: and, if any one disagreed with him, why did not that person *prove that he was in the wrong*? One proof of this sort would have had more effect than ten volumes of such answers as those which have been given to his speech.

Mr. Perceval is reported to have said, that Sir Francis's dislike to the use of soldiers, and particularly of the Life Guards, arose from the circumstance of these latter having been employed to force him into the Tower. Well! and what of that? It was not at all surprising, that he should have a more particular dislike to a corps which had been employed against himself; any more than it would be surprising if I were to discover a particular dislike to the Libel Laws and to what is called a "*Free Press*." So that this was no answer at all, certainly, to Sir Francis Burdett's remarks as to the illegality of employing soldiers to suppress riots. But, then, Mr. Perceval triumphantly observed, that Sir Francis's conduct had, upon the occasion alluded to, been *now* proved to have been *unlawful*; and he added, that this had been so determined by Sir Francis's *favourite* mode of trial, the *trial by jury*. Whereupon it is stated by the reporter, that the Honourable House burst out into cheers of approbation and peals of laughter. This was very proper, as far as I know; for the Bible says, that there is "a time for all

"things: a time to laugh and a time to weep, &c." As a victory over Sir Francis, however, this does not appear to have been any great things; for, though he had a *trial by jury*, it was not a favourite mode of trial with him, the jury being a *special* one, that is to say, a jury nominated by an officer of the crown; and, as the Honourable House might have recollected, he not only, in his proposed Address to the Regent, included this sort of jury amongst the great evils of the country, but he did, at the time when his jury was appointed, or soon after, make an express complaint upon the subject in the House of Commons during his speech on Lord Folkestone's motion relative to Ex-Officio Informations. Therefore, whatever this sort of trial may be, it is not, and never has been, a *favourite* with Sir Francis Burdett; but, on the contrary, it is a mode of trial against which he has always been protesting.

The report of Mr. Perceval's speech gives us to understand, that he was very indignant at hearing it asserted that the nation was now *governed by the sword and not by law*. This appears to have excited a great stir in the Honourable House. But, I am inclined humbly to think, that that Honourable Body took the matter up in too much haste. It will be allowed, I suppose, that there is such a thing as governing by the sword. It will, I think, be allowed, that this species of government is possible to be put in practice. Indeed this cannot be denied; for, we hear the Emperor of France daily accused of ruling by the sword; we hear his government called a military despotism; we hear him called a military despot; and, indeed, this is our great, standing charge against him, that he *governs by the sword and not by the law*.

If, therefore, we are not guilty of a deal of *very base slander*, there not only is such a thing as a government by the sword, but that government is actually in existence in France at this moment. What is it then? How does it operate? Does the reader imagine, that it dispenses with all *law*, or, rather with all that is *called law*? Does he imagine, that, when a robbery or murder is committed in France, the offender is tried by a court-martial and shot? Does he imagine, that the taxes are collected by soldiers, and that, in case of refusal to pay, the soldier goes to work with his sword? Does he imagine, that, when a man owes a debt, and will not pay it, his goods are seized and sold by soldiers? Does he imagine, that ejectments are enforced by sol-

diers; and that, in short, there is *no law*, but that the people are, in all respects, literally under the sway of the sword? If the reader imagine this, he is very much deceived; he has been grossly deceived and cheated with regard to the situation of France, where there are laws, regular codes of laws, defining, with great minuteness, the crimes and punishments; where there are Justices of the Peace, Constables, Sheriffs, Juries, Attorneys General, Judges, and Hangmen. In short, there are laws for the regulating of all affairs between man and man, and between the people and their ruler.

Now, then, either we are guilty of the most abominable slander against our neighbour the Emperor of France, and also against his people, whom, upon all occasions, we call slaves; or, a *military despotism* may exist in company with civil laws and civil courts, and all the forms and proceedings of law, both civil and criminal; all these latter may exist, and may be in full operation; and yet the government (if we speak truth as to that of Napoleon) may be a *military despotism*; or, in other words, a *government by the sword*. Therefore, it appears to me, that Sir Francis Burdett was worthy of an *answer* here; and that it was not sufficient to tell him, that his speech was "declamatory nonsense." We call the government of France a "military despotism;" and yet we cannot deny that there are codes of laws for the government of France; that there are a criminal code, a civil code,* and a commercial code, framed with infinite labour and care, deliberately enacted, and solemnly promulgated; that these codes of laws provide for all possible cases of wrong or delinquency; and that, except in cases of open opposition to the government in arms, *soldiers* have nothing to do in the execution of any law. Yet, we assert, that Napoleon's government is a *military despotism*; or, in other words, that he *governs by the sword and not by the law*. It being, then, true, that those who

say this are vile slanderers, or, that a government by the sword may exist in company with courts of Justice, and with all the forms and operations of criminal and civil law; this being the case, Sir Francis Burdett should have been *answered*, when he said, that ours was become a government by the sword: especially as he mentioned the name of Napoleon, and, in some sort, challenged his opponents to shew that the French government was any more, nay, so much, a government by the sword as our own was now become.

Now, I can find *no answer* to this part of his speech. I have sought for an answer with an anxious desire to find it; but, I have sought in vain. When I was reading the speech of Sir Francis, I anticipated that those who were opposed to him would make a point of answering him upon this important topic. He says, in substance, "You are for ever calling Napoleon a military despot, but you outrun him in the formation of military despotism." And, then, he goes on to say, in support of this assertion, that the soldiers are called out upon the slightest occasions to keep the people down; that they are ordered to shoot the people; that the soldiers are shut up in Barracks and kept distinct from the people, &c. &c. Now, here was the assertion and something in support of it; and I, therefore, fully expected an *answer* to it. No answer, however, have I yet seen. I expected to see the difference between our government and that of Napoleon clearly shown; I expected to see Napoleon's military despotism described; I expected to see the detail of its operations upon the people; in short, I expected to see a complete and strong *contrast* between the two governments; and, in all my expectations I was disappointed. I find Mr. PERCEVAL calling Sir Francis's speech "declamatory nonsense;" I find Mr. HUSKISSON taunting him again about his defeat and capture by the Life-Guards; I find Mr. BARHAM reprobating his speech, and see him upon the point of "*rallying* round His Majesty's ministers;" but I find *no answer* to this most important part of the Honourable Baronet's speech. I pretend to offer no opinion of my own upon the subject matter in question; but, I say, that if Sir Francis was not *answered* in the House, he ought not to be *abused* out of it. Either the matter was of importance, or it was not. If it was, it was worth while to give an answer; if it was not, the

* This Code, which is generally called the CODE NAPOLEON, has been translated into English, in a most excellent manner, by Mr. BRYANT BARRETT, of Gray's Inn, to which he has prefixed a very learned introductory discourse. He says of the Code: "The beauties of the Original first induced me to undertake the translation now offered. It possesses a closeness of language I have found no where equalled, and an arrangement, aided by a correctness of wording and extent of application, unrivalled in legislation."

abuse bestowed upon Sir Francis by the news-papers must have proceeded solely from the desire to abuse. It is this abuse in the news-papers that has called forth this article from me. For, though the subject is of vital importance; though the Depot about to be erected at Marybone is of a vast deal more consequence to us than all the battles and sieges and fortifications in Spain, Portugal, and India and Java; though I deem the subject of more importance than any other, that of the Bank Notes not excepted, still I should have merely inserted the debate, and left it to take its chance in the public mind, had not the *Courier*, in the paragraph which I have above quoted, made so venomous an attack upon Sir Francis Burdett.

Since the debate, upon which we have here been remarking, a bill has been brought into Parliament to punish the *administering of unlawful oaths*. Mr. Ryder, on the 5th instant, introduced the Bill in these words as follows. "He rose to move for leave to bring in a Bill more effectually to prevent the administering and taking of unlawful oaths. He said, that notorious as were all the facts connected with the melancholy disturbances in the manufacturing districts, he did not feel it necessary to trouble the House at any length. It would be almost sufficient for him to state, that notwithstanding the laws in force, in a vast number of instances unlawful oaths of a most terrible nature were administered to those who were concerned, not merely in breach of the public peace, but in the destruction of all kinds of private property, and even in the assassination of peaceable and industrious inhabitants. The House could scarcely form a distant idea of the horrible nature of the oaths prescribed by these lawless depredators: he would, therefore, read one of them *found upon the person of a man who had been killed in an attack upon the manufactory of Mr. Burton*, which the rioters succeeded in burning to the ground. It was couched in nearly these terms:—"I, A. B. of my own voluntary will, do declare, and solemnly swear, that I never will reveal to any person or persons, in any place or places, under the canopy of Heaven, the names of any of the persons composing the secret Committee, either by word, deed, sign, or by address, marks, complexion, or any other thing lead to the discovery of the same under the penalty of being

"put out of the world by the first brother whom I may meet, and of having my name and character blotted out of existence, or never remembered but with contempt and ignominy.—And I do further swear, that I will use my utmost endeavours to punish with death any traitor or traitors, who may rise up against us, though he should fly to the verge of existence, I will pursue with unceasing vengeance.—So help me God to keep this oath inviolate."—Such was the dreadful oath these deluded beings had taken, in the Counties of York, Lancaster, and Chester; and it was with heartfelt regret the Right Honourable Gentleman added, that the consequence had been frequent assassinations in districts, where this heinous crime was before wholly unknown. As the former statute was passed in total ignorance of the extent to which this offence would in future be carried, he should move, that it be amended by making the administering or taking of the oath a Capital Felony without benefit of Clergy, with a provision, however, that if an individual who had taken the oath voluntary, confessed his guilt, previous to his being charged before a Magistrate, and swear allegiance to the Sovereign, he should be exempted from the punishment imposed. He concluded by moving for leave to bring in a Bill to amend the 37 Geo. III. c. 103."

I will not notice, at present, the opposition that was offered to this Bill by Mr. Horner, Mr. Brougham, and Mr. Whitbread; but, there were some statements made during the debate, which are well worthy of attention. The *Courier* reports Mr. STEPHEN (Mr. Wilberforce's brother-in-law and a Master in Chancery) to have said, that "There was reason to conclude, that not less than ONE HUNDRED AND TWENTY THOUSAND persons had taken this dreadful and abominable oath." Mr. LOCKHART said, that "the proceedings of those who were engaged in the disturbances evinced, that the committee could have no other object in view than the *destruction of the law and constitution of the kingdom*." Mr. DAVIES GIDDY said, that the system of the rioters "bore strongly the appearance of proceeding from the instigations of the ENEMY'S EMISSARIES." And the editor of the *Courier* himself, in the same paper says: "It is now PLACED BEYOND ALL DOUBT, that it is

"neither the want of work nor the price of provisions that have been the causes of the late disturbances; but, that they have been instigated by persons who are **THE FRIENDS OF FRANCE**, with a view of doing the business of Buonaparté."

Now, reader, if this be true, what base deceivers are these venal news-papers! You remember, that they have been continually telling us, that the accounts of the disturbances were *exaggerated*. Nay, they did, on the very day that Mr. Ryder made his motion, publish several letters from the scenes of riot, complaining of the "*exaggerations* in the London prints," and imputing such exaggerations to motives of *disaffection*! What are we to think; what is the world to think, of a press like this! Such is the press by which Sir Francis Burdett is abused.

As we shall, doubtless, soon be furnished with the *proofs* of the existence of a conspiracy, in which 120,000 men are, "upon good reasons," supposed to be engaged, I will say no more upon the subject at present; and I have no room to remark, as I fully intended, upon the attempts of Capt. Henry in the American States, which subject must be postponed till my next.

WM. COBBETT.

State Prison, Newgate,
Friday, 8th May, 1812.

Speech of the EARL OF DONOUGHMORE, on the Catholic Claims, in the House of Lords, on the 21st April, 1812.

(Continued from page 576.)

In him they thought they saw the messenger of peace—(*Hear, hear!*)—with healing on his wing—the promised guardian of the people's rights—of the fomented discord of his father's Irish subjects, the indignant spectator—of their interests, the avowed and zealous assertor—to Catholic privilege an assured and plighted friend.—(*A general cry of hear, hear!*)—When the exercise of the executive functions was suspended for the first time, by the same awful visitation, Ireland successfully maintained the cause of the Prince, not equally triumphant in this more favoured nation, committing to him, the legitimate heir to all the royal authorities, the administration of his own inheritance, till returning health should restore his sceptre to the suffering King. The heart of the illustrious person overflowed with affectionate and just feelings, and my confiding

countrymen fondly trusted that they had bound their future monarch to them by a double tie.—(*Hear, hear, hear!*). How sanguine were these hopes—how strong and firmly rooted the foundations on which they seemed to rest!—but they are gone, blasted at the moment of full maturity; and instead of that rich and abundant harvest of national union and prosperity which we were prepared to gather, as the first fruits of the promised conciliation of the illustrious person, the sharpened edge of a slumbering statute—(*hear, hear, hear!*)—which had never been awakened before for the annoyance of the people—(*hear, hear, hear!*)—called for the first time into mischievous activity, and turned against the Catholics, assembled for the lawful purpose of remonstrating for the redress of grievances, and those desperate men who dared thus to intercept in their constitutional and legitimate progress to the Parliament and to their throne, the Petitions of an oppressed community of four millions of their fellow-subjects, confirmed in the full possession of all their former power, in the full exercise of all their former intolerance, as the Ministers of his own peculiar choice, by the first act of the unlimited Regent.—(*Hear, hear!*)—We have, indeed, been told from the highest authority, that all remembrance of the past should now be buried in mutual congratulations on the happy prospects of the present moment—abroad triumphant warfare—prospering commerce—and successful negotiation!—at home universal satisfaction, tranquillity, confidence, and concord.—A new era, it seems, has opened upon us.—(*Hear, hear, hear!*)—But what, my Lords, let me ask, are those peculiar circumstances from which this high sounding designation has derived its distinguishing character? What is there in the whole range of foreign or domestic policy, which does not continue to occupy its own former position? with the exception only of the public conduct, perhaps, the present feelings and opinions; I will never permit myself to believe the principles of the illustrious personage himself.—For what act of mercy to a suffering people, has introduced and graced the inauguration, if I may term it so, of this new order of things? What grievance of the state not unredressed—what pledge of a long public life not unredeemed. Confidence unbounded to those very Ministers, who but last year would not confide to that illustrious person, the unshackled discharge of those Royal duties—(*loud cries of hear,*

hear!)—of which, from the high privilege of his exalted birth, he was the natural and only Representative. The just claims of our Catholic fellow-subjects, the conciliation of Ireland, and every former impression on these most interesting and important subjects *complimented away*—(hear, hear, hear!)—as a premium and a boon for the continuance of such an Administration, as was never permitted at any former time of equal exigency and alarm, to insult the feelings and betray the dearest interests of a devoted people.—(Hear!)—Such are the true characteristics of this inauspicious crisis; these, the distinguishing features of the new era, unequalled for the easy abandonment of all pre-conceived opinions, and former pledges by any other, either of ancient or modern times.—(Hear, hear!)—The most prominent and striking circumstances of which it has been my necessary, though painful duty, thus to expose to your Lordships' view, and which have excited the deepest and most universal spirit of regret, astonishment, and indignation.—The Ministers have drawn, as it were, a magic circle round the Throne—(hear, hear, hear!)—into which none are permitted to enter, on whom the confidence of the Illustrious Person has been accustomed to repose. Within its range, the artificers of mischief have not ceased to work with too successful industry. What phantoms have they not conjured up, to warp the judgment, to excite the feelings, and appal the firmness of the Royal mind! But, though the evil genius should assume a mitred—nay, more than noble form, the sainted aspect which political bigotry delights to wear, *or the lineaments of that softer sex, which first beguiled man to his destruction—though, to the allurements of Calypso's court, were joined the magic, and the charms of that* **MATURED ENCHANTRESS** — *should the spirit of darkness take the human shape, and issuing forth from the inmost recesses of the GAMING-HOUSE or BROTHEL, presume to place itself near the Royal ear—What, though the potent spell should not have worked in vain, and that the boasted recantation of all encumbering prepossessions and inconvenient prejudices had already marked the triumph of its course—though from the Royal side they should have torn the chosen friend of his youth, and faithful Counsellor of his maturer years, the boast of his own gallant profession, the pride, the hope, and refuge of my distracted country, and a high and conspicuous ornament of yours—though they*

should have banished from the Royal Councils talents, integrity, honour, and high-mindedness like his, and should have selected for the illustrious person, an associate and an adviser from 'CHANGE-ALLEY and from the STEWS—though they should have thus filled up to its full measure the disgusting catalogue of their enormities, we must still cling to the foundering vessel, and call to our aid those characteristic British energies, by which the ancestors of those whom I have now the honour to address, have so often and so nobly saved the sinking state.—(Hear, hear!)—Parliament*

* The following is the report of this passage from the TIMES.

“The Ministry, indeed, seemed to have drawn a magic circle about the Throne, within which none of those, on whom the confidence of the Prince was wont to repose itself, were permitted to enter. But though the evil genius should put on the mitred head, or appear in a more noble form, wearing that sainted aspect with which bigotry was delighted to cover its hideousness, or assuming the lineaments of that softer sex which first seduced man to his destruction,—should add to the allurements of Calypso's court, the charms of that matured enchantress; aye, though the spirit of darkness, issuing forth from the brothel or the gambling-house, should gain possession of the Royal ear, and should whisper away every encumbering prepossession and burthensome predilection; though this spirit of mischief should so far succeed in its foul work as to be able to remove from the Royal Person that first instructor of his youth, and that counsellor of his maturer years,—that ornament of this—that pride and hope of his own distracted country; and though, instead of recommending the counsels of that illustrious mind, it should select for an adviser some wretch from 'Change-alley or the stews; though all this consummation of evil should come to pass, yet it was not permitted him to despair: still he could not believe that a mind, at least once noble, could for any time submit to the enslavement of those degraded fetters. The delusions of the moment would, he hoped, pass away; and the shifting of the cloud would restore the illustrious character from the obscurity under which it suffered, to its original brightness.”

must lay the spirit of evil, which is abroad—beware, how you neglect the performance of your part of that important duty; public indignation justly provoked, and the maddening sense of unheeded grievances, and triumphant profligacy, are fearful reformers.

—(*Hear, hear, hear!*) But I will not despair of better times. The illustrious mind cannot but loathe the ignoble and degrading fetters by which it is enchained; the time cannot be distant when the illusions of the present moment shall have vanished from the sight. May I not be permitted to anticipate the auspicious consummation of these my sanguine hopes.—See he has already rallied round him the men in whom the nation puts its trust, the Counsellors of his own unbiassed choice.—See he has broken the spell, and presents himself to his gratified country with the olive branch of conciliation in his hand,

“*Restitit Æneas, clarâque in luce refulsit,
“Os humerosque Deo similis,”*—

in all the natural and fair proportions of his own generous and enlightened mind, to heal all our wounds, and to unite all his people.—But here, my Lords, let me put to the Ministers of the Regent one serious question. Have they ever permitted themselves to call to their calm and deliberate attention, what those circumstances are, of their own country and of other surrounding nations, under which they are still prepared to exclude, from the enjoyment of their constitutional rights, so large a part of the efficient strength of the state?—(*Hear, hear!*) Have these puny politicians of the present day—and who are incapable of extending their views to the consideration of to-morrow—condescended to measure the true dimensions and magnitude of those dangers with which we are now encompassed?—When was there ever, at any former period, directed against the existence of any nation, so formidable a mass of gigantic means? From the gates of the Seraglio, to the frozen shores of the Baltic, is there one friendly arm uplifted in our defence? Has not the Ruler of France surrounded, as it were, with an armed bulwark, the coasts of her Europe, and her ports, against the adventurous enterprise of British speculation? For our exclusion, has he not effectually locked the Continent up, and does he not keep the keys in his own hands? In the Peninsula, indeed, the brave defenders of their own invaded rights, have admitted us to the illustrious fellowship of fighting by their side. For the display of the best energies of our gallant

troops, they have given us an extensive field, in the bosom of their own wasted country, and the happy occasion of still continuing to shed additional lustre on the British name, by the brilliant achievements of our distinguished Leader, and the bright career of glory which he has run. But is it, let me ask your Lordships, the war of rival sects, or the thunder of the Vatican, which have convulsed, and shaken to its centre, astonished Europe? No, my Lords, it is the sword of as great a Conqueror, as any either of ancient or modern times. It is the energy of that comprehensive mind, which, in the pursuit of its vast and magnificent projects, can unite all nations, languages, interests, and religions. At such a moment as the present, what pledge should be required from British subjects of their fidelity to the State? Perpetual hostility to France, the Foe to Britain and to British greatness—universal amity, and union, and concord, and concentration at home. The state of our relations with foreign nations, thus presenting to our view prospects so truly dark and gloomy, and in the condition of our people at home—driven to despair by the suspension of manufactures—the ruin of their trade—the weight of the public burthen—and the pressure of private distress, with so little to console and animate.—With four-fifths of the population of the Sister country, taught by the perpetual babble of our Anti-Catholic Ministers, and by the concurrent testimony of their favourite code of proscription, that the Catholic subjects of the same King, must, of necessity, continue for ever, and under every possible change of circumstances, irreconcilable foes to their Protestant Countrymen, and to the interests of the Protestant State. Under such circumstances as these, would not the confidence of the most assured believer in our deliverance, from these impending dangers, be melted down—and every hope extinguished of the continuance of those relations, by which the discordant parts of this United Kingdom have been so unsuitably linked together?—My Lords, this is not precisely the favourable moment for sporting with the feelings of our Catholic millions. We have no indispensable necessity for strife or division. At a conjuncture like the present, big with our fate, an awful crisis!—when the union of all hearts and hands would not be more than enough to save us—wantonly to irritate to distraction a generous, gallant, high-spirited population, the sinews of our military strength, is absolute

insanity. It is the sure sign and prognostic of Divine anger, dooming an empire to perish. *Quippe ineluctabilis fatorum vis, ujuscunque fortunam mutare instituit, mentem corrumpit.*—Against the fatal effects of such mad and desperate counsels, the constitution, has, however, not left the country without a resource. To Parliament it has confided the salutary power of arresting the course of weak and wicked Ministers; reforming the errors, and even rebuking the follies and the vices of the First Magistrate of the State; whenever they become inconvenient or dangerous to the public weal. Sure I am, that we are now arrived at that alarming and portentous crisis, at which it has become imperative upon your Lordships to call into activity, for the salvation of the Empire, those high controlling authorities with which you are invested. You have two weighty functions to discharge—the one, to conciliate a large and important part of your population, driven by impolicy and rashness to the brink of despair—the other, to deliver the nation from the obstinate incompetency of its present rulers. Happily these duties are not inconsistent one with the other. From his place in Parliament the first Minister of the Regent has informed us, in an authoritative tone, that he has made a compact with the Representative of his Sovereign, and has obtained from his Royal Master the rejection of Catholic concession, as the consideration and the price of his own present and future services. I, therefore, call upon your Lordships to acquire for yourselves a double claim to the gratitude of the public, by opening wide the doors of this House to a candid and just consideration of the Petitioners' case; and by the extensive and sweeping benefits of the same healing measure, to redress and wipe away the two great grievances of the state—the exclusion of our Catholic fellow-subjects, and the Administration of the Right Honourable Gentleman.—But we must not be too sanguine in our hopes, nor promise to ourselves the easy accomplishment of an object of such incalculable public benefit. We must expect a hard struggle, and be prepared to encounter a resistance, decided and formidable, from those who have created the mischief or nursed and brought it to maturity, and who are themselves the great grievance of which we complain. If by such a combination our best efforts should be defeated for a time, it is to the returning wisdom and justice of Parliament that the Catholics are still to look for ultimate and

sure redress. Persevering with unabated ardour in the pursuit of this their claim of right, I would bid them beware of the suggestions of intemperate counsellors, or yielding too much to the guidance of their own justly-roused and irritated feelings. I would say to them in a voice to which they have been accustomed to hearken without distrust—"Brave and much-injured countrymen! do not take counsel from despair; continue to confide in the unquenchable energies of the British Constitution, of which you are the joint inheritors with ourselves, and which all the corruptions of the Government have been insufficient to extinguish. The guardians of your rights and privileges are at their post. Except in one solitary instance, the firm phalanx of the friends of the people remains unbroken. Office and emoluments, power and honours, the most distinguished have been proffered in vain as the price of political inconstancy and of a disgraceful connexion with the present Administration; formed under auspices the most odious and disgusting, and whose watch-words are—Intolerance and Religious War. Even the Garter itself, that high and eminent distinction, has been put away, as ceasing to be an object of honourable ambition, under the degrading colour of these disastrous times. The Catholic cause and the cause of the British Empire have been loudly proclaimed by all the great constitutional leaders to be one and the same. Eternal hostility has been sworn against your calumniators and oppressors upon the altar of our common country. The minions of the Court have been dragged from behind the Throne, and exposed to the view of an insulted public, and the whole system of misrule, by which this devoted empire is oppressed and goaded, has been denounced to this House by a Noble Friend of mine (Lord Grey), in a strain of masculine and indignant eloquence, which, if equalled at any time, has been never exceeded within these walls. That clumsy combination of vice and bigotry, from which you are now seeking for a deliverance on your own parts, and on that of the suffering community, is composed of materials so wretched in themselves, and held together by a cement, which has in its nature so little of what is permanent or binding, that the whole pile exhibits now, almost at the moment of its construction, the obvious principle of decay; and, assuredly, cannot long continue to interpose itself between the representative of the sovereign power, and the best interests of the

people."—My Lords, I will not permit myself to doubt of the salvation of my country, encompassed though it is by difficulties and dangers on every side, and that there is yet in store for this United Kingdom, a long and a bright train of prosperity and glory. Animated by this consoling hope, I will still continue to recommend patience to my calumniated and oppressed countrymen, for the hour of their deliverance cannot be far removed.—My Lords, I have done, and have only to express my acknowledgments for the attention with which I have been honoured, during so long a trespass upon your Lordships' time; and humbly to move you, That a Committee be appointed to take into consideration the Laws imposing Civil Disabilities on His Majesty's subjects professing the Catholic Religion; and to refer to that Committee the several Petitions of the Catholics of Ireland, now upon your table; and also those of their Protestant Countrymen, strongly in affirmance of the necessity of conceding to the justice of the Catholic claims. No counter Petition having found its way to either House of Parliament from any quarter, with the exception only of that solitary attempt to raise the Protestant cry, in which the Minister has succeeded, in the obsequious City of Dublin, by a miserable majority of 16; and after a former baffled effort. These two classes of Petitions contain, I have a right to assume, a fair expression of the undivided sentiment of the Irish nation, on a question, to them, of vital importance, and not interesting, in any proportionate degree, to any other part of the United Kingdom.—It is also my intention to move your Lordships to refer to the same Committee, the Petition of the English Catholics, that truly respectable class of our fellow subjects---together with the several Petitions for Religious Liberty, from different denominations of Christians, which were presented by my Noble Friend (Earl Grey) at the same time.---For the purpose, therefore, of taking into consideration the laws imposing Civil Disabilities on His Majesty's subjects professing the Catholic Religion, I now move your Lordships to resolve yourselves into a Committee.

OFFICIAL PAPERS.

FRANCE.—*Reports laid before the Conservative Senate on the 10th of March, 1812.—(Continued from page 512.)*

III. *Plan of a Senatus Consultum, presented to the Senate on the 13th of March,*

relative to the augmentation of the army, by Count Lacedede.

Senators,—Your special commission has examined, with all the attention the importance of the subject demanded, the Senatus Consultum project, relative to the organization of the National Guard of the Empire, as well as the levy of 100 cohorts from the 1st band of the National Guards, and has with care compared the different dispositions with the reasons which have been stated to you.—This project is divided under two titles. The 1st offers one of those important institutions which will signalize one of the most illustrious of reigns; the 2d puts in motion part of that force established by the 1st; one is the ground of action,—the other the consequence and application of it.—Let us, before all, examine the first:—It separates into three bands the National Guard of the Empire; it points out the Frenchmen who, according to the difference of their age, must belong to one or other of these three bands; it fixes the successive renewal of their different stations; it determines the nature of the services which their country and sovereign have a right to expect from them.—And now, what is the national guard of the empire? The nation armed. And what nation but that which extends from the banks of the Baltic Sea to those beyond the Tiber; and whose ancient renown every day requires fresh eclat by its successful and new associations, and by the immortal glory of him who governs it? —This nation had not received different successive laws, but particular organizations only. It is going to receive a grand political law, a general organization.—And what a wonderful change is this profound conception of the Emperor going to produce! Order was established at his command, among the immense number of Frenchmen, whose very zeal and bravery, not regulated by his foresight, would have led to confusion and disorder. That admirable, and regular motion, is the result of the high wisdom of him, who, combining with the fruits of his genius, the produce of experience, carries his views into future ages, to give durability to all the monuments he erects.—But what is the grand and principal effect of this new institution? The safety of the interior, and public security. Hitherto the safety of the interior of empires was provided for by armies, who became offensive or defensive according to the circumstances of the war and the chances of success. But

the security was neither entire nor durable. The fear of a reverse weakened it: bad success might annihilate it; and what a situation was that people in, whose comforts and labours were every moment interrupted by anxiety and fear?—Let us refer to history, and we shall see how frequently weak governments could only satisfy their subjects by imprudently pointing out the number of their troops, their military dispositions, and their political arrangements; and been obliged to give way, by dangerous and absurd dispositions of their forces, to the ridiculous ideas which the want of security suggested, joined to false notions respecting the true elements of a good defence.—The project of the *Senatus Consultum*, which is presented to you, Senators, prevents for ever all these misfortunes.—When should even all the active armies quit the frontiers, and proceed to an immense distance to hurl the imperial thunder, the immense enclosure of the empire would present numerous defenders, which could be replaced by still more numerous defenders; and the French empire, considered, if I may be allowed so to express myself, as an immense citadel placed in the middle of the world, would shew its natural garrison, in a national guard, regularly organized, uniting to the constancy and instruction of old veterans, all the vigour of a youthful army.—This is what the hero has thought fit to do, to render our frontiers inviolable,—to tranquillize minds the most prompt to conceive alarms,—to guard the public security against all the attempts of false zeal, from ignorance or perfidy. This is what the father of his people has done; for this great benefit but trifling sacrifices are required.—The cohorts of the first band will be renewed with one-sixth each year; the young Frenchmen who constitute a part of it will know the exact period when they will return to their paternal roofs, and be restored to their affections, their labours, their habits; they will enjoy the price of their devotion.—Arrived at the age in which ardour is united to strength, they will find in their military exercises salutary games and agreeable relaxations, rather than severe duties and painful occupations. They will not be strangers to any of the advantages which the old pha-

lanxes of Napoleon enjoy. Let us now proceed, Senators, to examine the second title.—You have heard the Ministers for Foreign Affairs and for War, expose the frank, firm, and moderate policy of the Emperor. European commerce must be freed from the shameful yoke wished to be imposed upon it. Nature demands this: the most solemn treaties prescribe it: the imperial interests of the State demand it.—Already does the enemy of continental independence suffer in his island a part of those evils with which he wished to inundate the world. He has sworn everlasting war. Let a formidable power render abortive this attempt against humanity. Let all the active armies of the Empire be ready to march to whatever place they may be called by the greatest of heroes. Let 100 cohorts of the first band answer to the country for its frontiers, strong places, ports, and arsenals. Let 100,000 brave men, chosen from among those of the 1st band, join the standards of glory. Here we again find the same paternal solicitude of the Monarch, and the same foresight of the great Captain.—What relates to the successively renewing of that part of the first band, which will be placed at the disposition of the Minister of War, is fixed with care; and every Frenchman of the first band who shall have married anterior to the publication of the *Senatus Consultum*, shall remain in the bosom of his young family, and constitute part of the second band. The assembling of a part of the 1st band will allow the conscripts destined to augment or complete the active armies, to be longer exercised at their depots; and every thing has been calculated in such a manner, that at the least signal a numerous army can be promptly collected, and with facility march towards all the points menaced.—In order to be able better to judge of all the advantages of the institution proposed to you, represent to yourselves, senators, all the irregular appeals from the national guard which you have witnessed. Let those of our colleagues, whose military renown and the confidence of the Emperor have frequently placed at the head of these national guards, hastily collected, remember how much they have
(*To be continued.*)